

REF 77-1772/1

77-9630/6

18 NOV 1977

1.13

MEMORANDUM FOR: Cord Meyer
Special Assistant to the Deputy
Director of Central Intelligence

FROM: George L. Cary
Legislative Counsel

SUBJECT: Proposed Omnibus Anti-Terrorism Act of 1977

1. This memorandum is in response to your request for definitive comments of this Agency on the proposed Omnibus Anti-Terrorism Act of 1977. This bill would effect organizational changes within the Federal Government to strengthen Federal programs and policies for combatting international and domestic terrorism.

2. It does not appear that the proposed legislation would have an adverse effect on the Agency. The bill, however, does not recognize certain recent developments in the organization and management of foreign intelligence activities in support of U.S. counterterrorism programs such as: the national level organizational structure for U.S. anti-terrorism set up under PRM-30; the creation of a subcommittee of the Critical Collection Problems Committee to coordinate Intelligence Community activities with respect to international terrorism; or, the inclusion of international terrorist activities among the duties and responsibilities of the NSC Special Coordination Committee in drafts of the proposed new Executive Order governing U.S. foreign intelligence. Thus, the proposed Council to Combat Terrorism would appear to overlap and duplicate many of the activities of these entities.

3. Section 104 of the bill raises a potential difficulty with respect to the protection of intelligence sources and methods. This section requires the President to give an unclassified report to Congress following any terrorist act affecting U.S. citizens. Information that would "directly threaten" or "seriously compromise" sources and methods may be withheld from the unclassified report, and instead reported in classified form to the House and Senate Intelligence Committees. This is too narrow an exception to the disclosure requirements because sources and methods might also be seriously affected and compromised by an indirect danger or threat.

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4. The list of dangerous foreign airports required to be made publicly available by section 107 should be kept to general terms. Otherwise, it could become a valuable compilation of useful information for real or potential terrorists since the list would include a description of the "safety and security deficiencies of each airport on the list."

5. On 15 November 1977 Representative Jim Lloyd (D., Calif.) introduced H.R. 10086, an anti-terrorism bill.

SIGNED
George L. Cary

/s/John F. Blake

APPROVED:

acting Deputy Director of Central Intelligence

DISAPPROVED:

Director of Central Intelligence

DATE: 18 NOV 1977

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18 NOV 1977

MEMORANDUM FOR: Director of Central Intelligence

FROM: George L. Cary
Legislative Counsel

SUBJECT: Proposed Omnibus Anti-Terrorism Act of 1977

1. Action Requested: Attached for your consideration and approval is a memorandum to Cord Meyer setting forth the Agency's position on Senator Ribicoff's bill, S. 2236, the Omnibus Anti-Terrorism Act of 1977.

2. Background: Ambassador Heyward Isham, Director of the Office for Combatting Terrorism, State Department, following a directive of an NSC memorandum, is chairing an Executive Committee that is coordinating all Executive agencies' comments on proposed legislation by Senator Ribicoff, the Omnibus Anti-Terrorism Act of 1977. This bill would effect organizational changes within the Federal Government to strengthen Federal programs and policies for combatting international and domestic terrorism.

Ambassador Isham has requested definitive comments on this bill so that the Executive Committee can discuss all submissions at an Executive meeting to be held during the week of 21 November 1977.

3. Staff Position: The Office of General Counsel and the Intelligence Community Staff have been consulted, and they concur in our position.

4. Recommendation: That you approve the memorandum.

SIGNED

George L. Cary

Attachment

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